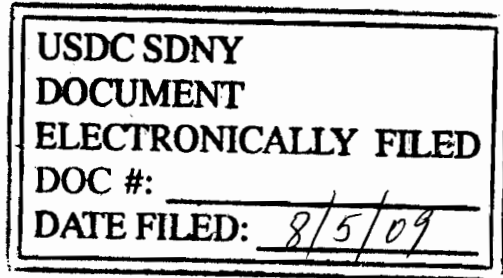


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
HYPOXICO INC.,

Plaintiff,

– against –

COLORADO ALTITUDE TRAINING, et al.,

Defendants.
-----X

02 Civ. 6191 (TPG)

ORDER

Counsel for defendants Colorado Altitude Training (“CAT”) and Lawrence Kutt moves for leave to withdraw as counsel on the ground that defendants have failed to pay their legal fees. The motion is unopposed. The court finds that counsel has offered “satisfactory reasons for withdrawal” for purposes of Local Rule 1.4. Furthermore, it does not appear that the withdrawal of counsel will significantly delay the proceedings in the case. The motion is therefore granted; however, with respect to CAT (which cannot appear pro se), this is contingent upon CAT retaining substitute counsel, and upon substitute counsel entering an appearance within thirty days of this order.

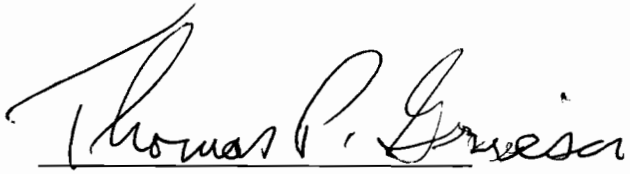
Defendant Kutt has also filed a request to proceed in forma pauperis. That request is granted.

The telephone conference previously scheduled for August 6 is adjourned until August 17 at 2:30pm. If necessary, the court will entertain a request to further adjourn the telephone conference.

Defense counsel is directed to serve this order on defendants.

SO ORDERED.

Dated: New York, New York
August 4, 2009



Thomas P. Griesa
U.S.D.J.